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**Board of Vocational Nursing
and Psychiatric Technicians**

EDMUND G. BROWN JR., Attorney General
of the State of California
HANNAH HIRSCH ROSE, State Bar No. 56276
Deputy Attorney General
California Department of Justice
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5515
Facsimile: (415) 703-5480

Attorneys for Complainant

**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN-2000-1438

LORDELIZA SILVANLA CERENO
2953 Sorrento Way
Union City, CA 94587

A C C U S A T I O N

Vocational Nurse License No. VN188533

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this
Accusation solely in her official capacity as the Executive Officer of the Board of Vocational
Nursing and Psychiatric Technicians, Department of Consumer Affairs.

2. On or about June 9, 1999, the Board of Vocational Nursing and
Psychiatric Technicians issued Vocational Nurse License No. VN 188533 to Lordeliza Silvenia
Cerenio (Respondent). The vocational nurse license was in full force and effect at all times
relevant to the charges brought herein and will expire on April 30, 2009, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board of Vocational Nursing and

1 Psychiatric Technicians (Board), Department of Consumer Affairs, under the authority of the
2 following laws. All section references are to the Business and Professions Code unless otherwise
3 indicated.

4 STATUTORY PROVISIONS

5 4. Section 2875 of the Business and Professions Code (Code) provides, in
6 pertinent part, that the Board may discipline the holder of a vocational nurse license for any
7 reason provided in Article 3 (commencing with section 2875) of the Vocational Nursing Practice
8 Act.

9 5. Section 2878(a) of the Code, in pertinent part, states:

10 "The Board may suspend or revoke a license issued under this chapter [the
11 Vocational Nursing Practice Act (Bus. & Prof. Code, § 2840, et seq.)) for any of the following:

12 "(a) Unprofessional conduct, which includes, but is not limited to the following:

13 "(1) Incompetence, or gross negligence in carrying out usual nursing functions."
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15 6. California Code of Regulations, Title 16, section 2518.5, states:

16 "The licensed vocational nurse performs services requiring technical and manual
17 skills which include the following:

18 "(a) Uses and practices basic assessment (data collection), participates in
19 planning, executes interventions in accordance with the care plan or treatment plan, and
20 contributes to evaluation of individualized interventions related to the care plan or treatment
21 plan."
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23 7. California Code of Regulations, Title 16, section 2518.6, states:

24 "(a) A licensed vocational nurse shall safeguard patients'/clients' health and safety
25 by actions which include but are not limited to the following:

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27 "(b) A licensed vocational nurse shall adhere to standards of the profession and
28 shall incorporate ethical and behavioral standards of professional practice which include but are

1 not limited to the following:

2 "(1) Maintaining current knowledge and skills for safe and competent practice;

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4 "(c) A violation of this section constitutes unprofessional conduct for purposes of
5 initiating disciplinary action."

6 8. California Code of Regulations, Title 16, section 2520, states:

7 "As used in Section 2878 "incompetence" means the lack of possession of and the
8 failure to exercise that degree of learning, skill, care and experience ordinarily possessed and
9 exercised by responsible licensed vocational nurses."

10 9. Section 125.3 of the Code provides, in pertinent part, that the Board may
11 request the administrative law judge to direct a licensee found to have committed a violation or
12 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
13 and enforcement of the case.

14 FIRST CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct - Incompetence)

16 10. Respondent is subject to disciplinary action under Business and
17 Professions Code section 2878(a)(1) for unprofessional conduct incompetence in that on or about
18 March 25, 2000, while she was employed as a Charge Nurse/Treatment Nurse at Westgate
19 Rehabilitation and Specialty Care Center ("Westgate") in San Jose, California she violated
20 section 2520 in conjunction with section 2518.5(a) of Title 16, California Code of Regulations by
21 failing to use and practice basic assessment care and treatment to a patient in accordance with the
22 patient's care plan or treatment plan. The underlying circumstances are as follows:

23 a. On or about March 25, 2000, respondent was assigned to work at
24 Westgate Rehabilitation and Specialty Care Center Nursing Station Three. Resident S.N.¹ was
25 one of the residents assigned to Station Three. He was an 88 year old man who spoke very little
26 English and he was admitted to Westgate in January 2000. He was diagnosed with insulin

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28 1. Full names will be provided upon request in the course of discovery.

1 dependent diabetes and congestive heart failure. He was able to feed himself with supervision
2 and he required limited assistance for bed mobility, dressing and personal hygiene. He required
3 assistance for transfers, walking in the room, use of the toilet, and bathing.

4 b. The physician's orders noted that the resident had the risk of
5 abnormal blood sugars and the orders required that S.N. be monitored for diabetic reaction
6 (hypoglycemia), which included anxiety, weakness and fatigue. The policy and procedure of the
7 facility directed staff to perform a blood level test to determine if the blood sugar was in the
8 normal range. The physician's orders required staff to immediately contact a physician if S.N.'s
9 blood sugar level rose above 400 or dropped below 60. A blood test administered to S.N. on
10 March 25, 2000 at 6:30 a.m. indicated that his blood sugar level had dropped from 146 to 76.

11 c. On the afternoon of March 25, 2000, S.N.'s adult daughter
12 informed respondent that her father was shaking, felt weak, cold and as if he had something in
13 his chest. Respondent told S.N.'s daughter she would check on her father's health status later in
14 the afternoon. Respondent also informed S.N.'s daughter that S.N. had Parkinson's disease and
15 that was why he was shaking. Subsequently, respondent administered pain medication to S.N.
16 Respondent did not perform a physical assessment of S.N. or make direct inquiry of S.N.
17 following the report from S.N.'s daughter. The resident died in a hospital on April 2, 2000 from
18 cerebral hypoxia due to hypoglycemia and hypoperfusion.

19 SECOND CAUSE FOR DISCIPLINE

20 (Unprofessional Conduct - Incompetence)

21 11. Respondent is subject to disciplinary action under Business and
22 Professions Code section 2878(a)(1) for unprofessional conduct in that on or about March 25,
23 2000, while she was employed as a Charge Nurse/Treatment Nurse at Westgate Rehabilitation
24 and Specialty Care Center in San Jose, California respondent violated section 2520 in
25 conjunction with section 2518.6(a) of Title 16, California Code of Regulations by failing to
26 safeguard a patient's health and safety based on her conduct set forth in paragraph 10 above.

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1 THIRD CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Incompetence)

3 12. Respondent is subject to disciplinary action under Business and
4 Professions Code section 2878(a)(1) for unprofessional conduct in that on or about March 25,
5 2000, while she was employed as a Charge Nurse/Treatment Nurse at Westgate Rehabilitation
6 and Specialty Care Center in San Jose, California respondent violated section 2520 in
7 conjunction with section 2518.6(b) of Title 16, California Code of Regulations by failing to
8 adhere to standards of a licensed vocational nurse based on her conduct set forth in paragraph 10
9 above.

10 FOURTH CAUSE FOR DISCIPLINE

11 (Unprofessional Conduct - Incompetence)

12 13. Respondent is subject to disciplinary action under Business and
13 Professions Code section 2878(a)(1) for unprofessional conduct in that on or about March 25,
14 2000, while she was employed as a Charge Nurse/Treatment Nurse at Westgate Rehabilitation
15 and Specialty Care Center in San Jose, California respondent violated section 2520 in
16 conjunction with section 2518.6(b)(1) of title 16, California Code of Regulations by failing to
17 maintain current knowledge and skills for safe and competent practice based on her conduct set
18 forth in paragraph 10 above.

19 PRAYER

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein
21 alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric
22 Technicians issue a decision:

23 1. Revoking or suspending Vocational Nurse License No. VN 188533, issued
24 to Lordeliza Silvenia Cereno.

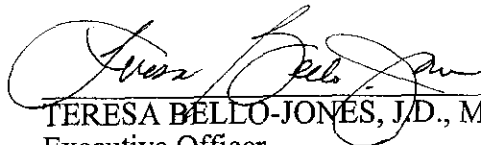
25 2. Ordering Lordeliza Silvenia Cereno to pay the Board of Vocational
26 Nursing and Psychiatric Technicians the reasonable costs of the investigation and enforcement of
27 this case, pursuant to Business and Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: November 30, 2007



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

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